

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

-v-

NATHANIEL CHASTAIN,

Defendant.

22-CR-305 (JMF)

ORDER


JESSE M. FURMAN, United States District Judge:

At sentencing later today, counsel should be prepared to address the following issues:

- Whether there are any other “insider-trading” cases (whether classic insider-trading or on a *Carpenter* theory) involving as little loss (or gain) as this case and, if so, what sentences were imposed in those cases;
- If U.S.S.G. § 2B1.1 applies, whether the two-point enhancement in Subsection (b)(10)(C) for “sophisticated means” applies;
- Whether the two-point enhancement in U.S.S.G. § 2S1.1(b)(3) for “sophisticated laundering” applies;
- Whether the Court should order forfeiture of the ETH derived from the offense or a dollar equivalent of the ETH and, if the latter, whether the conversion rate to be used is today’s conversion rate or the conversion rate on the date(s) of the offense conduct; and
- What the Defendant should be ordered to forfeit (in ETH or in dollars) if the Court excludes transactions in which the Defendant purchased the NFT *after* it was posted on the OpenSea website.

SO ORDERED.

Dated: August 22, 2023  
New York, New York

  
JESSE M. FURMAN  
United States District Judge